

**RECEIVED  
CENTRAL FAX CENTER**

**JAN 08 2007**

PTO/SB/97 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

# Certificate of Transmission under 37 CFR 1.8

USPTO Fax No.: (571) 273-8300

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on January 8, 2007  
Date 1

**Signature**

Deborah M. Jones

Typed or printed name of person signing Certificate

**302-992-4943**

Registration Number, if applicable

**Telephone Number**

**Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.**

10/829430

MD1080USCNT

### EXTENSION OF TIME, RESPONSE

Page \_\_\_\_ of \_\_\_\_

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**RECEIVED**  
**CENTRAL FAX CENTER****JAN 08 2007****PATENT/Docket No. MD1080USCNT**

Serial No. 10/829,430

Page 1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Art Unit : 1631  
Examiner : Pablo S. Whaley  
Applicant(s) : Michael Edward Schaffer  
Serial Number : 10/829,430  
Filed : 04/21/2004  
For : Real Time Quantitative PCR with Intercalating Dye for Single and Multiplex Target DNA

Commissioner of Patents and Trademarks  
Washington, DC 20231

Sir:

This paper is filed in response to an Office Action mailed on December 15, 2006 the statutory period for response to end January 15, 2007.

**EXTENSION OF TIME**

Although this response is believed to be timely filed, if any additional extension and/or fee is required to keep this application pending, please charge Account No. 04-1928.

**ELECTION OF SPECIES REQUIREMENT**

Applicants are not entirely clear on what is being requested of them. There would appear to be a requirement to elect a "first" and a "second" target nucleic acid as recited in claim 7. Applicants elect:

A first target nucleic acid which is a lectin gene

A second target nucleic acid which is a 35S CaMV promoter.

**TRAVERSAL OF THE REQUIREMENT**

Applicants note that this application is a continuing application of a US national stage application (Serial No. 10/204,889) filed through the Patent Cooperation Treaty . MPEP Section